

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN STEAMSHIP OWNERS MUTUAL
PROTECTION AND INDEMNITY
ASSOCIATION, INC.,

Plaintiff,

-against-

ALCOA STEAMSHIP CO., INC., et al.,

Defendants.

04 Civ. 04309 (LAK)

(ECF Case)

AFFIDAVIT

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

George D. Argiriou, being duly sworn, deposes and says:

1. I am the Assistant General Counsel for KeySpan Corporation. I submit this affidavit on behalf of KeySpan Corporation, a defendant in the above captioned action. I am over the age of 18, have personal knowledge of the facts set forth herein and, if sworn as a witness, I could competently testify thereto.

2. As part of my responsibilities, I am familiar with the insurance policies at issue in this action.

3. As a result of certain acquisitions, KeySpan Corporation acquired the corporate entities Mystic Steamship Company and Eastern Gas and Fuel Associates (collectively, "KeySpan"). As a result, KeySpan acquired the insurance coverage sold to those entities by Plaintiffs.

4. The documents produced in this action indicate that KeySpan is insured by policies issued by the Plaintiffs from December of 1943 until December 1955.

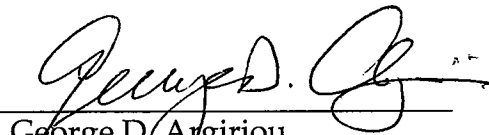
5. The documents produced in this action also indicate that those years were "closed" by the American Club, and as such, the members of the American Club during those years can no longer be assessed in connection with those policy years.

6. No documents produced in this action indicate that the Plaintiffs have any right to reopen those "closed" years.

7. Based on a review of KeySpan's records and the documents produced in this action, KeySpan has not submitted any claims to the Plaintiffs for indemnity or defense payments in connection with any underlying claims brought against KeySpan by sailors who sailed on ships owned or operated by KeySpan as a result of alleged exposure to asbestos or other occupational hazards on any such ships.

8. KeySpan has not submitted any such claims for defense or reimbursement to the Plaintiffs, but would not be precluded from submitting such claims in the future.

9. Based on my review of KeySpan's records and the documents produced in this action, no one from KeySpan ever served on the American Club's board of directors.


George D. Argiriou

Sworn to before me this
9th day of June, 2006


Notary Public

My Commission Expires:

MARY C. WESSEL
Notary Public, State of New York
Qualified in Suffolk County
No. 01WE4723569
Commission Expires: 11/30/06